



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

YANG *et al.*

Serial No. 10/001,407

Filed: October 22, 2001

For: COMPOSITIONS AND METHODS  
FOR DETECTING HUMAN  
IMMUNODEFICIENCY VIRUS 2  
(HIV-2)

Group Art Unit: 1648

Examiner: Parkin, J.

Atty. Docket No. GP117-03.UT

Confirmation No. 3070

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FEB 24 2003

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1648  
#4  
Suppl IDS w/attach  
2/27/03

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97(b)(3) & (e)(1)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants bring to the Examiner's attention the references listed on the enclosed form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of each of the references is enclosed.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b)(3) before the mailing date of a first Office action on the merits.

Alternatively, if a first Office action on the merits was mailed on or before the certified mailing date indicated below, then, in accordance with 37 C.F.R. § 1.97(e)(1), the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign

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I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date indicated below with sufficient postage as first class mail addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date: February 11, 2003

By:

Michael J. Gilly, Reg. No. 42,579

SUPPLEMENTAL IDS

Serial No. 10/001,407  
Atty. Docket No. GP117-03..UT

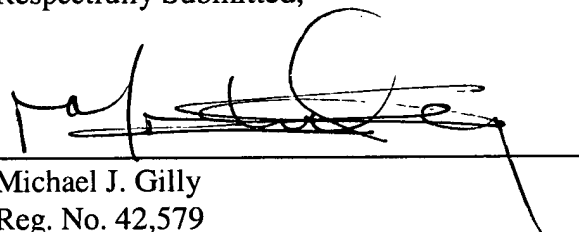
application not more than three months prior to the filing of this Information Disclosure Statement. Accordingly, no fee is believed due in connection with this Information Disclosure Statement. If Applicants are mistaken, please charge the amount due to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

Applicants respectfully request that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08 with the Examiner's initials or other appropriate marks.

Respectfully Submitted,

Date: February 11, 2003

By:

  
Michael J. Gilly  
Reg. No. 42,579  
Agent for Applicants

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*(use as many sheets as necessary)*

Sheet 1 of 1

**Complete if Known**

<b>Application Number</b>	<b>10/001,407</b>
<b>Filing Date</b>	<b>October 22, 2001</b>
<b>First Named Inventor</b>	<b>YANG t al.</b>
<b>Group Art Unit</b>	<b>1648</b>
<b>Examiner Name</b>	<b>Parkin, J.</b>
<b>Attorney Docket Number</b>	<b>GP117-03.UT</b>

## OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T2
		BERKHOUT et al., "Secondary Structure of the HIV-2 Leader RNA Comprising the tRNA-Primer Binding Site", Nucleic Acids Res., Mar. 1993, 21(5):1171-1178	
		BERKHOUT et al., DATABASE GSN, Online!, Jun. 1993, retrieved from EBI Database accession no. X72325	
		BUSH et al., "Detection of Human Immunodeficiency Virus Type 1 RNA in Plasma Samples from High-Risk Pediatric Patients by Using the Self-Sustained Sequence Replication Reaction", J Clin Microbiol., Feb. 1992, 30(2):281-286	
		DE BAAR et al., "Design and Evaluation of a Human Immunodeficiency Virus Type 1 RNA Assay Using Nucleic Acid Sequence-Based Amplification Technology Able to Quantify Both Group M and O Viruses by Using the Long Terminal Repeat as Target" J Clin Microbiol., Jun. 1999, 37(6):1813-1818.	
		EIKEN CHEM CO LTD., DATABASE GSN, Online!, July 1998, retrieved from EBI Database accession no. AAV19509	
		KRAISELBURD, DATABASE GSN, Online!, Jun. 1996, retrieved from EBI Database accession no. AAT06604	
		PIENIAZEK et al., "Identification of Mixed HIV-1/HIV-2 Infections in Brazil by Polymerase Chain Reaction", AIDS, Nov. 1991, 5(11):1293-1299	
		VAN GEMEN et al., "The One-Tube Quantitative HIV-1 RNA NASBA: Precision, Accuracy, and Application", PCR Methods Appl., Feb. 1995, 4(4):S177-S184	

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Examiner  
Signature

Date Considered

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<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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